GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

PUBLIC SERVICES – Smt.G.V.Subbaratnamma, former CDPO, ICDS Project, Proddatur, Kadapa district and now retired - Trapped by ACB on 13-09-2007 – Retired from service on 30-06-2009 on attaining the age of superannuation – Non – submission of Annual Property Returns since 1982 and thereby violated Rule 3 (1) & (2) and Rule – 9 (7) of A.P.C.S (Conduct Rules), 1964 - Disciplinary proceedings initiated under Rule – 20 of A.P.C.S (CC & A) Rules, 1991 – Charge proved – Imposing of punishment of 2% cut in admissible pension for a period of three years under Rule – 9 of A.P.Revised Pension Rules, 1980, subject to final outcome of the appeal filed by the D.G., A.C.B., A.P., Hyderabad, in the Hon'ble High Court of A.P. in Crl.A.No.956/2012 on the judgment dated 14-06-2012 in C.C.No.7 of 2008 of the Spl. Judge for SPE and ACB Cases, Nellore – Orders – Issued.

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DEPT. FOR WOMEN, CHILDREN, DISABLED & SENIOR CITIZENS [ESTT. – A3]

G.O.RT.No. 118 Dated 6th June, 2015

Read the following:-

01. From the D.G., A.C.B., A.P., Hyderabad, Lr.Rc.No.180/RCT – TCD/2007, dated 25-03-2008.
02. G.O.Rt.No.181, WD, CW & DW (Estt.A2) Dept. dated 17-06-2008.
03. Charge Memo.Rc.No.7462/Vig.1/07, dated 24-10-2008 issued by the Director, W.D & C.W., A.P., Hyderabad.
04. From the Director, W.D & C.W., A.P., Hyderabad, Lr.No.7462/Vig.1/07, dated 02-02-2009.
05. From the Commissioner, W.D & C.W., A.P., Hyderabad, Lr.No.7462/Vig.2/2007, dated 17-11-2009.
06. G.O.Rt.No.76, Dept. for W.C (Estt.) D & SCs, dated 28-02-2011.
07. Government Memo.No.5142/Estt.A2/2007-17, dated 30-08-2012.
08. Government Memo.No.5142/Estt.A2/2007-19, dated 04-06-2013.
09. From the Commissioner, W.D & C.W., A.P., Hyderabad, Lr.No.7462/Vig.2/2007, dated 16-07-2013, forwarding the explanation date 29-06-2013 of the Charged Officer.
10. Government Letter No.5142/Estt.A3/2007-20, dated 05-12-2013.
11. From Secy. (I/c), A.P.P.S.C., Lr.No.128/RT/1/2014, dt.10-01-2014.
12. Government Letter No.5142/Estt.A3/2007-21, dated 02-04-2014.
13. From Secretary, A.P.P.S.C., Lr.No.128/RT/1/2014, dt. 23-05-2014.

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ORDER: -

Whereas in pursuance of the recommendations made by the Director – General, A.C.B., A.P., Hyderabad, vide reference 1st read above, Government vide G.O. 2nd read above, have sanctioned prosecution orders, under Prevention of Corruption Act, 1988 in respect of Smt.G.V.Subbaratnamma, former CDPO, ICDS Project, Proddatur, Kadapa district and now retired, who was trapped by the ACB on 13-09-2007 for acceptance of illegal gratification from the Complainant for continuation of her services as Anganwadi Worker.

02. And whereas, the Commissioner, W.D & C.W., A.P., Hyderabad, vide reference 3rd read above, has initiated disciplinary proceedings under Rule – 20 of A.P.C.S (CC&A) Rules, 1991 in respect of Smt.G.V.Subbaratnamma, former CDPO, ICDS Project, Proddatur, Kadapa district and now retired and framed the following article of charge and directed her to submit her written statement of defense: -

THAT, said Smt.G.V.Subbaratnamma, has joined Government Service on 02-09-1982 as Supervisor Grade – I and promotions as ACDPO on 23-02-1996 and as CDPO on 05-07-2007. She worked at L.R.Palli, Kadapa Galiveedue, Sambepalli, Allagadda, Koilakuntla, Dhone, Rayachoty and Project Director ICDS of Kadapa and Kurnool Districts. While functioning in the above capacities during the period between

02.09.1982 to 13.09.2007 she has committed grave misconduct in as much as she failed to submit Annual Property Returns from the date of her joining into service i.e. 02.09.1982 to till 13.09.2007 except for the year 2006-07 to the competent authority and failed to maintain absolute integrity in violation of A.P.C.S (Conduct) Rules, 1964.

THUS, Smt.G.V.Subbaratnamma, by her above mentioned act has exhibited lack of integrity, devotion to duty, conduct unbecoming of a Government Servant and thereby contravened Rule 3 (1) & (2) and Rule 9 (7) of A.P.C.S (Conduct) Rules, 1964.

03. And whereas, the Charged Officer has submitted her written statement of defense dt.21-11-2008, denying the charge, stating that she has submitted her Annual Property Returns to the concerned authorities as per the rules and regulations, as informed by the Director, W.D & C.W., A.P., Hyderabad, vide reference 4th read above.

04. And whereas, the Commissioner, W.D & C.W., A.P., Hyd., vide reference 5th read above, has therefore informed the Government that the R.D.D., W.D & C.W., Kurnool, has been appointed as Enquiry Officer vide Pros.No.7462/Vig.2/2007, dated 01-05-2009. The Charged Officer, has been retired from service on 30-06-2009, on attaining the age of superannuation.

05. And whereas, the Enquiry Officer, in her report held that the charge regarding non – submission of Annual Property Returns since 1982 held proved against the Charged Officer. As per the remarks of the Commissioner, W.D & C.W., the charge has been held proved and therefore, a Show Cause Notice has been issued to the Charged Officer to submit her explanation. Since the Charged Officer was retired from service on 30-06-2009, the Commissioner, W.D & C.W., has therefore, referred the matter to the Government for taking further action under Rule – 9 of A.P.Revised Pension Rules, 1980.

06. And whereas, the Government vide Memo.7th read above, have accorded permission to the Director – General, A.C.B., A.P., Hyderabad, to file Criminal Appeal in the High Court of A.P against the acquittal judgment dt.14-06-2012 in C.C.No.7/2008 of S.P.E & A.C.B. Cases, Nellore.

07. And whereas, after careful examination of the matter, taking into consideration the gravity of the charge, which was held proved, with reference to the Inquiry Report, Government have provisionally decided to impose 2% cut in pension on the Charged Officer, subject to final outcome of the appeal filed by the D.G., A.C.B., A.P., Hyderabad, in the Hon'ble High Court of A.P. in Crl.A.No.956/2012 on the judgment dated 14-06-2012 in C.C.No.7 of 2008 of the Spl. Judge for SPE and ACB Cases, Nellore, acquitting the Charged Officer from the charges.

08. And whereas, the Government vide reference 8th read above have issued a notice to the Charged Officer, to show cause as to why the said punishment shall not be imposed on her within a period of fifteen days for taking further action in the matter, failing which further action will be taken on the basis of the records available.

09. And whereas, the Charged Officer in her further explanation dated 29-06-2013 received through reference 9th read above, has expressed her willingness to the proposed punishment of 2% cut in pension and requested to sanction pensionery benefits such as Gratuity and Commutation etc.

10. And whereas, the Government after considering the written statement of defense submitted by the Charged Officer have decided to impose a punishment under Rule-9 of A.P.R.P.Rules, 1980 to impose 2% cut in admissible pension in respect of the Charged Officer, subject to final outcome of the appeal filed by the D.G., A.C.B., A.P., Hyderabad, in the Hon'ble High Court of A.P. in Crl.A.No.956/2012 on the judgment dated 14-06-2012 in C.C.No.7 of 2008 of the

Spl. Judge for SPE and ACB Cases, Nellore, since the charge framed against her was held proved by the E.O.

11. And whereas, the Government vide Lr.10th read above, have forwarded a proposal to the Secretary, A.P.P.S.C to obtain and communicate the concurrence of the 'Commission' on the decision taken by the Government as in Para – 10 above so as to conclude the disciplinary proceedings, pending against the Charged Officer.

12. And whereas, the Secretary, A.P.P.S.C., vide its letter 11th read above, have informed the Government that the period of punishment against the Charged Officer is not specified anywhere in the records and therefore, requested the Government to clarify the matter to enable the 'Commission' to tender its advice.

13. And whereas the Government have further examined the matter and further decided to impose a 2% cut in pension for a period of three years in respect of the Charged Officer under Rule – 9 of A.P.Revised Pension Rules, 1980 subject to final outcome of the appeal filed by the ACB in the Hon'ble High Court of A.P. in Crl.A.No.956/2012 and informed the 'Commission' accordingly, vide reference 12th read above.

14. And whereas the Secretary, A.P.P.S.C., vide its Letter 13th read above, has advised the Government to impose 50% cut in pension permanently against the Charged Officer.

15. Now, the Government after careful consideration of the matter, under Rule – 9 of A.P.Revised Pension Rules, 1980, hereby impose a penalty of 2% cut in admissible pension for a period of three years in respect of Smt.G.V.Subbaratnamma, former CDPO, ICDS Project, Proddatur, Kadapa district and now retired subject to final outcome of the appeal filed by the D.G., A.C.B., A.P., Hyderabad, in the Hon'ble High Court of A.P. in Crl.A.No.956/2012 on the judgment dated 14-06-2012 in C.C.No.7 of 2008 of the Spl. Judge for SPE and ACB Cases, Nellore, since the charge of non – submission of Annual Property Returns framed under Rule – 20 of A.P.C.S (CC&A) Rules, 1991 had held proved by the Enquiry Officer.

16. The Director, W.D & C.W., A.P., Hyderabad, is requested to take necessary further action in the matter, accordingly.

[BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH]

Dr. (Smt.) POONAM MALAKONDAIAH,
PRINCIPAL SECRETARY TO GOVERNMENT (FAC).

To
Smt.G.V.Subbaratnamma, former CDPO, ICDS Project, Proddatur, Kadapa district and now retired, through the Director, W.D & C.W., A.P., Hyderabad.
The Director, W.D & C.W., A.P., Hyderabad.
The Accountant – General, A.P., Hyderabad.
Copy to: -
The Secretary, A.P.P.S.C., Hyderabad.
SF / SCs.

// FORWARDED :: BY ORDER //

SECTION OFFICER